



**Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2885**

PATENT

ATTORNEY DOCKET NO.: 047991-5006-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tomoyoshi YAMASHITA et al.

Application No.: 10/617,805

Filed: July 14, 2003

For: PLANAR LIGHT SOURCE DEVICE
AND LIGHT DEFLECTING DEVICE
FOR USE IN THE SAME

Confirmation No.: 4167

Group Art Unit: 2885

Examiner: Peggy A. Neils

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Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window
Alexandria, VA 22314

Sir:

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Office Action dated August 7, 2007, finally rejecting claims 1-3, 9, 10, 34 and 35.

02/08/2008 SZEWDIE1 00000026 500310 10617805
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1. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants request an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 460.00	\$ 230.00
<input type="checkbox"/> three months	\$ 1,050.00	\$ 525.00
<input type="checkbox"/> four months	\$ 1,640.00	\$ 820.00

Please charge Deposit Account No. 50-0310 in the amount of **\$00.00**.

If an additional extension of time is required, please consider this a Petition therefor.

2. Notice of Appeal Fee - 37 C.F.R. § 41.20(b)(1)

☒ The Commissioner is authorized to charge the appeal fee of **\$510.00** to Deposit Account No. 50-0310.

3. Fee Payment

☒ The Commissioner is authorized to charge Deposit Account No. 50-0310 the total amount of **\$510.00** (for the Notice of Appeal fee).

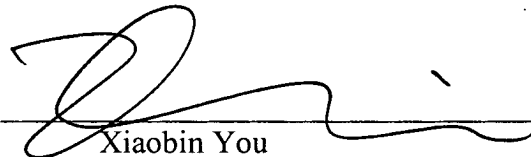
4. Constructive Petition

- ☒ **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: _____



Xiaobin You
Reg. No. L0112

Dated: February 7, 2008

CUSTOMER NO. 009629

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